



PATENT
Attorney Docket No. 501139

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Eddy Daelmans et al.

Group Art Unit: 1774

Appln. No.: 09/807,093

Examiner: Tamra L. Dicus

Filed: April 9, 2001

For: PACKAGING WRAPPER

INTERVIEW SUMMARY RECORD UNDER MPEP § 713.04

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

A telephonic interview regarding the above-identified patent application was conducted on November 5, 2003, with the undersigned attorney, Patent Examiner Dicus, and her Supervisory Examiner, Cynthia Kelly present. During the interview all issues raised in Applicant's previously submitted Interview Request Form were discussed. Claims 10, 19 and 9 were discussed and no exhibits were presented. As a result of the interview, it was agreed that the Examiner would remove all indefiniteness rejections and the prior art rejections based upon Jones for reasons identified in the Interview Request Form and Applicant's response to the Office Action filed on October 8, 2003.

With that being said, the Examiner intends to maintain the written description rejection against claim 19, despite Applicant's point that originally filed claim 9 included the same subject matter and that claims are self-supporting and considered part of the specification under MPEP § 608.04, and other such legal precedent which holds that the originally filed claims provide their own written description under 35 USC § 112. Applicant also pointed to description on page 11 of the specification.

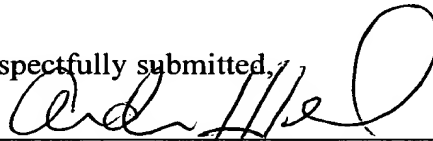
Finally, the Patent Examiner indicated that she may be inclined to continue with the anticipation rejections under § 102 over Ottinger based upon column 2, lines 11-17. Applicant asserted that the Patent Examiner is taking this language out of context because FIG. 1 clearly shows that strips 7 and 9 never come into mutual contact with one another when in the wound state on the roll. Applicant also asserted that the language cited by the Examiner is also being taken out of context because the referenced passage relates to a characteristic of the adhesive and is not a description that mutual contact exists when in the wound state on the roll. Applicant also asked the Patent Examiner to indicate where the mutual contact between the

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strips is shown in the wound state on the roll in the figures of Ottinger. In response, the Patent Examiner could not identify any mutual contact existing in the patent illustration figures of U.S. Patent No. 3,055,576 to Ottinger. In response, the Patent Examiner advised the Applicant not to look at the drawings, but to specifically look at column 2, lines 11-17 of Ottinger where she asserts the mutual contact in the wound state on the roll is expressly disclosed, despite no mutual contact being shown in the drawings.

Finally, the Patent Examiner indicated that the translation of the European Application did not appear in the U.S. Patent and Trademark Office's file and suggested that Applicant resubmit same. It was discussed that Applicant has previously filed the timely amendment, and therefore, a further action would be forthcoming from the U.S. Patent and Trademark Office. Applicant intends to submit the translation at that time.

Respectfully submitted,



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Date: November 5, 2003